

Patent Docket P11542

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  Audrey Goddard et al.  Serial No.: 09/202,054  Filed: December 7, 1998  For: HUMAN TOLL HOMOLOGUES	Group Art Unit: 1647  Examiner: L. Spector  <b>CERTIFICATE OF MAILING</b> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on  June 20, 2002  <i>Mona Beltran</i> Mona Beltran
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AMENDMENT TRANSMITTALAssistant Commissioner of Patents  
Washington, D.C. 20231COPY OF PAPERS  
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Sir:

Transmitted herewith is a Response to Second Restriction Requirement and Preliminary Amendment in the above-identified application.

The fee has been calculated as shown below.

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Additional Fees
Total	6	-	40	0	18	\$0.00
Independent	2	-	10	0	80	\$0.00
___ 0 Multiple dependent claim(s), if any					270	\$0.00
Total Fee Calculation						\$0.00

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No additional fee is required.

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$. A duplicate copy of this transmittal is enclosed.

Petition for Extension of Time is enclosed.

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. A duplicate copy of this sheet is enclosed.

Respectfully submitted,  
GENENTECH, INC.By: *Diane L. Marschang*

Diane L. Marschang

Reg. No. 35,600

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Date: June 20, 2002



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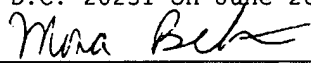
Patent Docket #115482

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Goddard et al. Serial No.: 09/202,054 Filed: December 7, 1998 For: Human Toll Homologues	Group Art Unit: 164 Examiner: L. Spector Confirmation No. 2403  <b>CERTIFICATE OF MAILING</b> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on June 20, 2002   Mona Beltran
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**RESPONSE TO SECOND RESTRICTION REQUIREMENT AND PRELIMINARY AMENDMENT**


Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:


This paper is being filed in response to the Office Action mailed May 28, 2002, setting forth a second restriction requirement for the application. Entry of the following amendment is respectfully requested prior to examination on the merits.

**In the Claims:**

✓ Please cancel claims 25-27, 41-47 and 51-53 without prejudice.

 28. (Twice Amended) An antibody which specifically binds to a polypeptide encoded by DNA 40021 (SEQ IDNO:2).

29. (As filed) The antibody of claim 28 wherein said antibody is a monoclonal antibody.

 30. (Amended) The antibody of claim 29 which blocks the recognition of a Gram-negative or Gram-positive organism by said polypeptide.